

PETITION FOR ZONING VARIANCE 84-350-A
TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 1B02.3C.1. to permit a side yard setback of 0' in lieu of the required 7.5'

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)

Due to the small lot, no alley, existing driveway and parking pad next to the house, the proposed site is the only practical and esthetic solution.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:
(Type or Print Name)
Signature
Address
City and State
Mortgage for Petitioner:
(Type or Print Name)
Signature
Address
City and State
Name, address and phone number of legal owner, contract purchaser or representative to be contacted
Name
Address
Phone No.
Petitioner's Telephone No.:
Address
Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 1st day of May, 1984, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 12th day of June, 1984, at 9:45 o'clock A.M.

Cal J. J. J.
Zoning Commissioner of Baltimore County.

(over)

BALTIMORE COUNTY
ZONING PLANS
ADVISORY COMMITTEE



PETITION AND SITE PLAN
EVALUATION COMMENTS

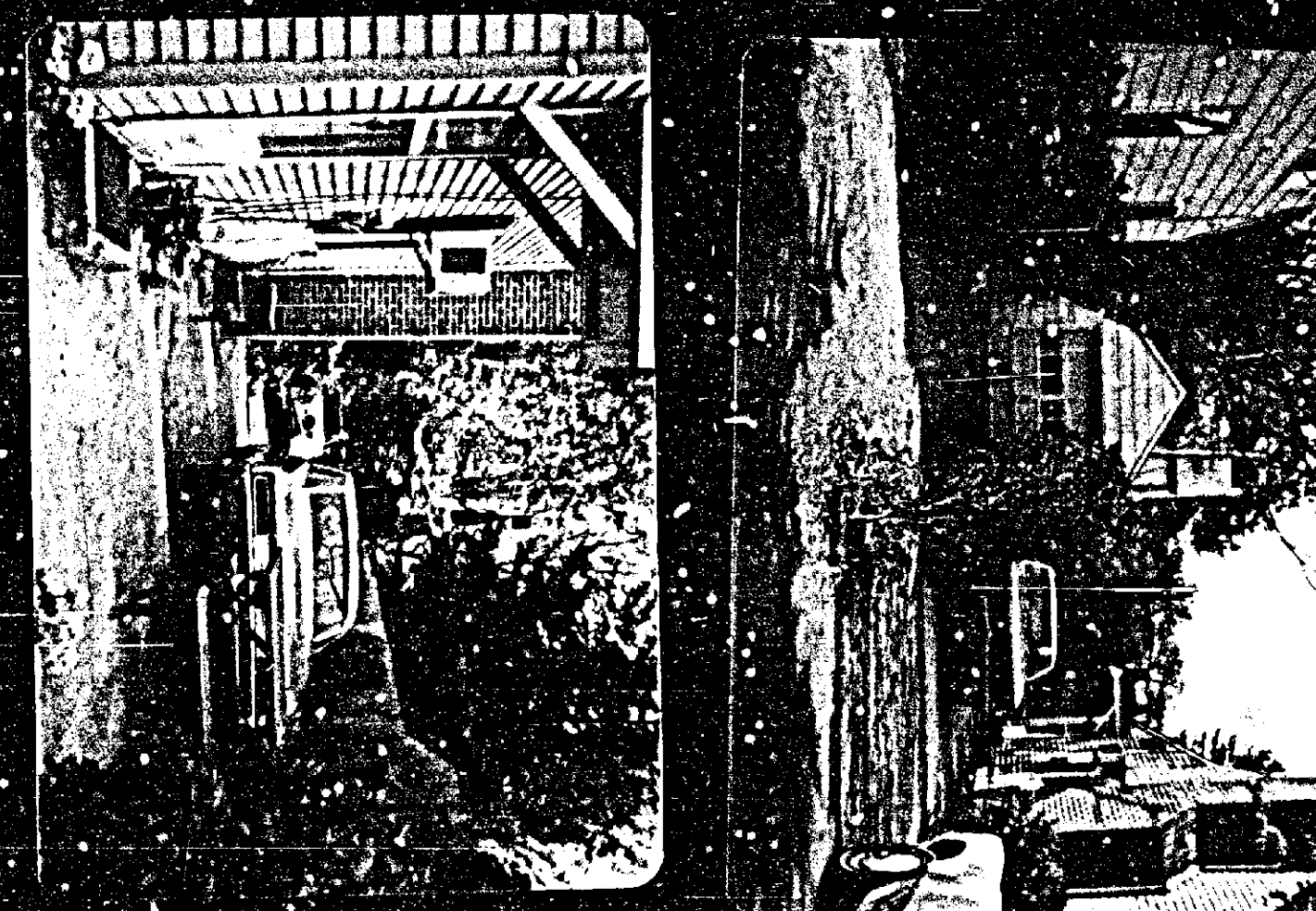
BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your petition has been received and accepted for filing this 1st day of May, 1984.

Arnold Jablon
Zoning Commissioner

Petitioner: M. Tyler Gatchell, et ux
Petitioner's Attorney
Received by: Nicholas B. Commodari
Chairman, Zoning Plans Advisory Committee



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon
TO: Zoning Commissioner Date: June 11, 1984
Norman E. Gerber, Director
FROM: Office of Planning and Zoning
Zoning Petition Nos. 84-346-A, 84-349-A, 84-353-A, 84-351-A, 84-352-A,
SUBJECT: 84-353-A, 84-354-A, 84-357-A, 84-358-A, 84-359-A, 84-361-A and 84-364-A.

There are no comprehensive planning factors requiring comment on these petitions.

Norman E. Gerber, Director
Office of Planning and Zoning

NEG/JCH/sf

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

June 8, 1984

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204
Nicholas B. Commodari
Chairman

Mr. & Mrs. M. Tyler Gatchell
1102 Ruxton Road
Baltimore, Maryland 21204

RE: Case No. 84-350-A (Item No. 291)
Petitioner - M. Tyler Gatchell, et ux
Variance Petition

Dear Mr. & Mrs. Gatchell:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

NICHOLAS B. COMMODARI
Chairman
Zoning Plans Advisory Committee

NBC:bsc

Enclosures

BALTIMORE COUNTY
DEPARTMENT OF PUBLIC WORKS
TOWSON, MARYLAND 21204

HARRY J. PISTEL, P.E.
DIRECTOR

June 1, 1984

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Item #291 (1983-1984)
Property Owner: M. Tyler Gatchell, et ux
N/S Ruxton Rd. 126' W. from centerline
Locust Ave.
Acres: 60 X 120 District: 9th

Dear Mr. Jablon:

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

General:

Baltimore County highway and utility improvements exist and are not directly involved.

Ruxton Road, an existing public road, is proposed to be further improved in the future as a 30-foot closed section roadway on a 50-foot right-of-way.

Development of this property through stripping, grading and stabilization could result in a sediment pollution problem, damaging private and public holdings downstream of the property. A grading permit is, therefore, necessary for all grading, including the stripping of top soil.

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the Petitioner.

Very truly yours,

ROBERT A. MORTON, P.E., Chief
Bureau of Public Services

RAM:EAM:FHR:ss
O-NE Key Sheet
NW 108 Topo

37 NW 5 Pos. Sheet
69 Tax Map

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
TOWSON, MARYLAND 21204
494-5211
NORMAN E. GERBER
DIRECTOR

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Zoning Advisory Meeting of 5-1-84
Item # 291
Property Owner: M. TYLER GATCHELL, ET UX
Location: N/S Ruxton Rd. 126' W. Locust Ave

Dear Mr. Jablon:

The Division of Current Planning and Development has reviewed the subject petition and offers the following comments. The items checked below are applicable.

- ☒ There are no site planning factors requiring comment.
- ☒ A County Review Group Meeting is required.
- ☒ A County Review Group meeting was held and the minutes will be forwarded by the Bureau of Public Services.
- ☒ This site is part of a larger tract; therefore it is defined as a subdivision. The plan must show the entire tract.
- ☒ A record plat will be required and must be recorded prior to issuance of a building permit.
- ☒ The access is not satisfactory.
- ☒ The circulation on this site is not satisfactory.
- ☒ The parking arrangement is not satisfactory.
- ☒ Parking calculations must be shown on the plan.
- ☒ This property contains soils which are defined as wetlands, and development on these soils is prohibited.
- ☒ Construction in or alteration of the floodplain is prohibited under the provisions of Section 22-98 of the Development Regulations.
- ☒ Development of this site may constitute a potential conflict with the Baltimore County Master Plan.
- ☒ The amended Development Plan was approved by the Planning Board on _____.
- ☒ Landscaping should be provided on this site and shown on the plan.
- ☒ The property is located in a deficient service area as defined by Bill 178-79, and as conditions change traffic capacity may become more limited. The Basic Services Areas are re-evaluated annually by the County Council.
- ☒ Additional comments: _____

Eugene A. Boer
Chief, Current Planning and Development

BALTIMORE COUNTY
FIRE DEPARTMENT
TOWSON, MARYLAND 21204-2586
494-4500

PAUL H. REINCKE
CHIEF

May 9, 1984

Mr. William Hammond
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Attention: Nick Commodari, Chairman
Zoning Plans Advisory Committee

RE: Property Owner: M. Taylor Gatchell, et ux

Location: N/S Ruxton Road 126' W. from c/l Locust Avenue

Item No.: 291

Zoning Agenda: Meeting of 5/1/84

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "x" are applicable and required to be corrected or incorporated into the final plans for the property.

- ☒ 1. Fire hydrants for the referenced property are required and shall be located at intervals or feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- ☒ 2. A second means of vehicle access is required for the site.
- ☒ 3. The vehicle dead end condition shown at _____ EXCEEDS the maximum allowed by the Fire Department.
- ☒ 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
- ☒ 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 edition prior to occupancy.
- ☒ 6. Site plans are approved, as drawn.
- ☒ 7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: [Signature] Noted: [Signature]
Planning Group Approved: [Signature]
Special Inspection Division Fire Prevention Bureau

/mb

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that strict compliance with the Baltimore County Zoning Regulations would result in practical difficulty and unreasonable hardship upon the Petitioner(s) and the granting of the variance(s) requested will not adversely affect the health, safety, and general welfare of the community, the variance(s) should be granted.

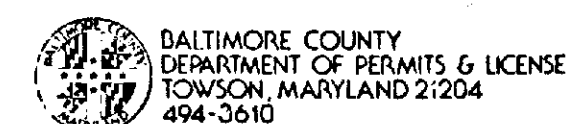
Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County, this 27th day of June, 1984, that the herein Petition for Variance(s) to permit a side yard setback of 6 inches in lieu of the required 7.5 feet for the expressed purpose of constructing a 12'6" x 20' carport, is GRANTED, from and after the date of this Order, subject to the following:

1. Water run-off for the proposed carport shall be directed away from the adjoining property.
2. Approval of a site plan by the Office of Planning and Zoning.

John M. H. Jung
Deputy Zoning Commissioner of
Baltimore County

ORDER RECEIVED FOR FILING

DATE June 27, 1984
BY *May Conner*
Administrative Assistant



ED ZALESKI, JR.
DIRECTOR
Mr. Arnold Jablon, Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

May 9, 1984

Dear Mr. Jablon:

Comments on Item # 291 Zoning Advisory Committee Meeting are as follows:

Property Owner: M. Tyler Gatchell, et ux
Location: N/S Ruxton Road 126' W. from c/l Locust Avenue
Existing Zoning: D.R. 3.5
Proposed Zoning: Variance to permit a side yard setback of 0' in lieu of the required 7.5'.

Acres: 60 x 120
District: 9th.

The items checked below are applicable:

☒ All structures shall conform to the Baltimore County Building Code 1981/Council Bill 1-81 Chapter 23, Subchapter 23-101, and other applicable Codes.

☒ A building & other miscellaneous structures shall be required before beginning construction.

C. Residential: Three sets of construction drawings are required to file a permit application. Architect/Engineer seal is/are not required. Non-reproduced seals and signatures are required on Plans and Technical Data.

D. Commercial: Three sets of construction drawings with a Maryland Registered Architect or Engineer shall be required to file a permit application.

E. An exterior wall erected within 6'0" for Commercial uses or 3'0" for One & Two Family use group of an adjacent lot line shall be of one hour fire resistive construction; no openings permitted within 3'0" of lot lines. A firewall is required if construction is on the lot line, see Table 401, line 2, Section 1107 and Table 1102, also Section 503.2.

F. Requested variance appears to conflict with the Baltimore County Building Code, Section/s _____.

G. A change of occupancy shall be applied for, along with an alteration permit application, and three required sets of drawings indicating how the structure will meet the Code requirements for the proposed change. Drawings may require a professional seal.

H. Before this office can comment on the above structure, please have the owner, thru the services of a Registered in Maryland Architect or Engineer certify to this office, that, the structure for which a proposed change in use is proposed can comply with the height/area requirements of Table 505 and the required construction classification of Table 401.

☒ Comments - Supports for carport shall be of non-combustible materials or 1 hour fire rated construction when within 3'-0" of an interior lot line.

NOTE: These comments reflect only on the information provided by the drawings submitted to the office of Planning and Zoning and are not intended to be construed as the full extent of any permit. If desired, additional information may be obtained by visiting Room 122 (Plans Review) at 111 W. Chesapeake Ave., Towson.

Very truly yours,

Charles E. Burrows
Charles E. Burrows, Chief
Plans Review

CRB:ms

RE: PETITION FOR VARIANCE : BEFORE THE ZONING COMMISSIONER
N/S Ruxton Rd., 126' W of the : OF BALTIMORE COUNTY
Centerline of Locust Ave. :
(1402 Ruxton Rd.), 9th District :
M. TYLER GATCHELL, et ux, : Case No. 84-350-A
Petitioners :

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Phyllis Cole Friedman
Phyllis Cole Friedman
People's Counsel for Baltimore County

Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel
Rm. 223, Court House
Towson, MD 21204
494-2188

I HEREBY CERTIFY that on this 5th day of June, 1984, a copy of the foregoing Entry of Appearance was mailed to Mr. and Mrs. M. Tyler Gatchell, 1402 Ruxton Road, Towson, MD 21204, Petitioners.

Peter Max Zimmerman
Peter Max Zimmerman

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Zoning Commissioner
Office of Planning and Zoning
FROM: Ian J. Forrest
SUBJECT: Zoning Variance Items
Meeting - April 24, 1984

The Baltimore County Department of Health has reviewed the following zoning items and does not anticipate any health hazards at this time regarding these items.

Item #275 - Louis DiPasquale
Item #277 - Security Mini Storage
Item #278 - Industrial Enterprises, Inc.
Item #281 - Charles L. Carter

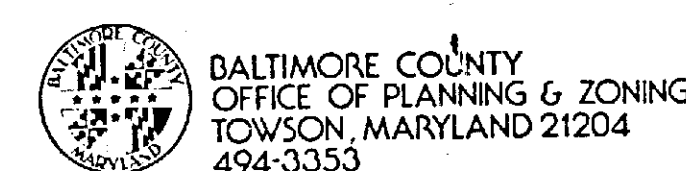
Meeting - May 1, 1984

Item #284 - 122 Slade Ltd. Partnership
Item #285 - James R. Dugliette, Sr., et ux
Item #286 - I.U.E. Local #130
Item #287 - Middle River Square Club, Inc.
Item #288 - Beechwood Development Corp.
Item #289 - Bernard M. Baker
Item #291 - M. Tyler Gatchell, et ux

John J. Forrest
John J. Forrest, Director
BUREAU OF ENVIRONMENTAL SERVICES

JJF/for

6/14 84-350-A



ARNOLD JABLON
ZONING COMMISSIONER

June 27, 1984

Mr. and Mrs. M. Tyler
1402 Ruxton Road
Towson, Maryland 21204

RE: Petition for Variance
N/S of Ruxton Rd., 126' W of the center
line of Locust Ave. (1402 Ruxton Rd.)
9th Election District
M. Tyler Gatchell, et ux - Petitioners
No. 84-350-A (Item No. 291)

Dear Mr. and Mrs. Tyler:

I have this date passed my Order in the above captioned matter in accordance with the attached.

Very truly yours,

John M. H. Jung
JEAN M.H. JUNG
Deputy Zoning Commissioner

JMHJ/mc

Attachments

cc: Mr. Frank J. Klein
1400 Ruxton Road
Towson, Maryland 21204

People's Counsel

Mr. & Mrs. M. Tyler Gatchell
1402 Ruxton Road
Baltimore, Maryland 21204

NOTICE OF HEARING

Re: Petition for Variance
N/S Ruxton Rd., 126' W of the c/l of
Locust Avenue (1402 Ruxton Road)
M. Tyler Gatchell - Petitioner
Case No. 84-350-A

TIME: 9:45 A.M.

DATE: Tuesday, June 19, 1984

PLACE: Room 106, County Office Building, 111 West Chesapeake
Avenue, Towson, Maryland

John M. H. Jung
Zoning Commissioner
of Baltimore County

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE-REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 130201

DATE: 6/20/84 ACCOUNT: 801-415-00

AMOUNT: 35.00

RECEIVED BY: *Tyler Gatchell*

FOR: *for the 291 - Variance*

6 073*****35016 21204

VALIDATION OR SIGNATURE OF CASHIER

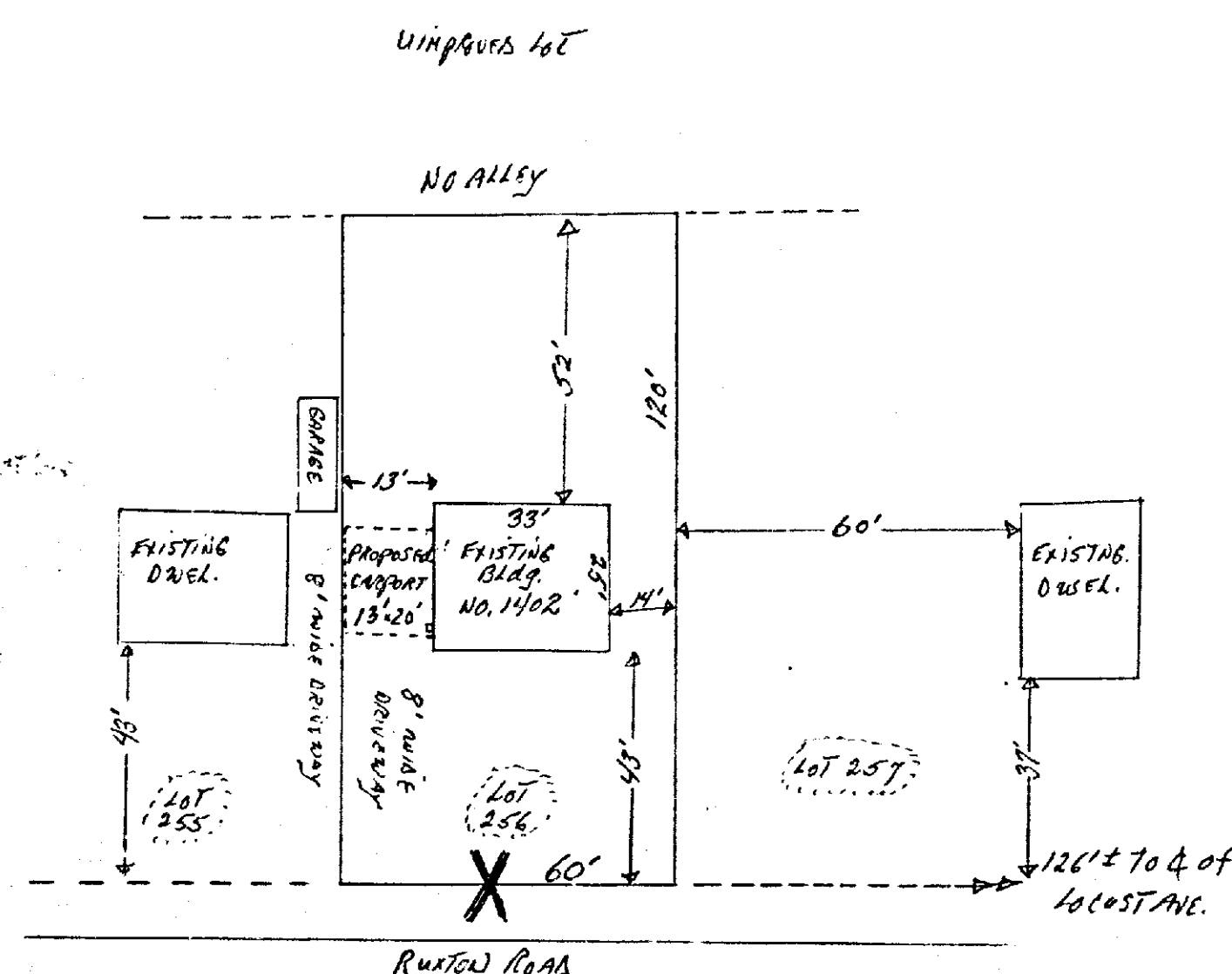
84-350-A

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: 9th Date of Posting: 6-2-84
Posted for: Variance
Petitioner: M. Tyler Gatchell
Location of property: N/S Ruxton Rd., 126' W of the c/l of Locust
Ave. (1402 Ruxton Rd.)
Location of Signs: In front of 1402 Ruxton Rd.
Remarks:
Posted by: *J. J. Forrest* Date of return: 6-8-84
Number of Signs: 1

DESCRIPTION

Beginning on the north side of Ruxton Road 60 feet wide, at the distance of 126 feet west of the center line of Locust Ave. Being Lot 256 as shown on the plat of Ruxton Heights, Book No. 1 Folio 64. Also known as 1402 Ruxton Road in the 9th election district.



PLAN FOR ZONING VARIANCE
OWNER - M. Tyler & Susan R. Gatchell
DISTRICT 9, Zoned D.R. 3.5
Subdivision - Ruxton Heights
LOT 256 Book No. 1, Folio 64
EXISTING UTILITIES IN RUXTON RD.
SCALE: 1"=30'

John M. H. Jung
JEAN M.H. JUNG
Deputy Zoning Commissioner



BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

ARNOLD JABLON
ZONING COMMISSIONER

June 12, 1984

Mr. & Mrs. M. Tyler Gatchell
1402 Ruxton Road
Baltimore, Maryland 21204

Re: Petition for Variance
N/S Ruxton Rd., 126' W of the c/l of
Locust Avenue (1402 Ruxton Road)
M. Tyler Gatchell, et ux - Petitioners
Case No. 84-350-A

Dear Mr. & Mrs. Gatchell:

This is to advise you that \$44.60 is due for advertising and posting of the above property.

This fee must be paid and our zoning sign and post returned on the day of the hearing before an Order is issued. Do not remove sign until day of hearing.

Please make the check payable to Baltimore County, Maryland, and remit to Mrs. Arlene January, Zoning Office, Room 113, County Office Building, Towson, Maryland 21204, before the hearing.

Sincerely,

B. Jablon
ARNOLD JABLON
Zoning Commissioner

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 130542

DATE 6-19-84 ACCOUNT R-01-615-000

AMOUNT \$44.60

RECEIVED FROM M. Tyler Gatchell
FOR advertising & posting Case 84-350-A

0 021 *****4601D 819-A

VALIDATION OR SIGNATURE OF CASHIER

PETITION FOR VARIANCE

9th Election District

ZONING: Petition for Variance
LOCATION: North side Ruxton Road, 126 ft. West of the centerline of Locust Avenue (1402 Ruxton Road)
DATE & TIME: Tuesday, June 19, 1984 at 9:45 A.M.
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Variance to permit a side yard setback of 0 ft. in lieu of the required 7.5 ft.

Being the property of M. Tyler Gatchell, et ux, as shown on plat plan filed with the Zoning Department.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

BY ORDER OF
ARNOLD JABLON
ZONING COMMISSIONER
OF BALTIMORE COUNTY

April 16, 1984

TO WHOM IT MAY CONCERN:

This is to give my approval for Mr. & Mrs. M. Tyler Gatchell to construct a one car carport on their property at 1402 Ruxton Road, Baltimore, Md 21204, with the understanding that one side of this carport will be at my property line at 1404 Ruxton Road, Baltimore, Md 21204. It is my feeling that both properties will benefit from increased privacy and aesthetic appeal thereby adding value to both our property values.

Sincerely,

Beverly Cabell
Beverly Cabell
1404 Ruxton Road
Balto Md 21204

PETITIONER'S
EXHIBIT 2

PETITION FOR VARIANCE
9th Election District
ZONING: Petition for Variance
LOCATION: North side Ruxton Road, 126 ft. West of the centerline of Locust Avenue (1402 Ruxton Road)
DATE & TIME: Tuesday, June 19, 1984 at 9:45 A.M.
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland
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By Order of
ARNOLD JABLON,
Zoning Commissioner
of Baltimore County
May 21

CERTIFICATE OF PUBLICATION

TOWSON, MD., May 31, 1984

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on May 31, 1984.

THE JEFFERSONIAN,

18 Venetian

Cost of Advertising 18.00